

Remarks

The Examiner has rejected Claims 101 and 109 under 35 U.S.C. § 112, second paragraph.

In response, the Applicants have modified Claims 101 and 109 in the manner suggested by the Examiner.

The Examiner has rejected all currently pending Claims 86-109 under 35 U.S.C. § 102(e) as being unpatentable over PR Newswire (PRN) in view of Dell Computer, items U through X (Dell) and U.S. Patent No. 6,167,383 (Henson).

The Applicants and the Examiner appear to be in disagreement regarding what is disclosed by the cited prior art referred to as PRN. The Examiner is taking the position that the fleet managers of PRN are the equivalent of the administrators as referred to in the present application. The Applicants respectfully disagree that the fleet managers fulfill the role of the administrator in the present application. In addition, the Examiner takes the position that the drivers selecting the vehicles in the PRN reference are the equivalent of the members of the group which are buying the virtually bundled packages of product in the present application. The Applicants are in disagreement with this position as well.

In the present application, it is the function of the fleet administrator to prepare bundles of products which are then made available to the users. The function of the external administrator in the present invention is clearly stated in the present application at pg. 4, lns. 19-25:

The virtual bundle creation application 32 provides to the administrator a list of product data available for bundling. The administrator at the external computer 28 selects certain products from the list to be bundled together as a virtual bundle. The virtual bundle data 36 is stored in a database and is available for the

electronic commerce type applications 38 to provide the virtual bundle to the customer.

As such, the administrator of the present applications builds the virtual bundles for selection by the buyers. The buyers in this case can pick a virtual bundle but cannot configure the virtual bundles themselves.

There are two differences between the fleet administrator of the cited PRN reference and the administrator of the present invention that the Applicants would like to point out to the Examiner. First, in the PRN reference, the fleet manager does not create virtual bundles. The fleet manager sets parameters for the selection of products having selectable options, and the drivers (group members) are able to configure the purchases themselves from the approved options. The Applicants direct the Examiner's attention to the second paragraph of the article which states:

All vehicle configuring completed by the driver is based on parameters the fleet manager selects. *Drivers may be permitted to choose from designated options or can even be allowed to build entire vehicles.* (emphasis added)

Therefore, it is the drivers in the PRN article that configure the purchases, within parameters selected by the fleet managers.

Second, the PRN article does not even specify that the fleet manager selects options which are selectable by the user, but instead specifies that the fleet manager selects *parameters* for the selection of options. Parameters in this case could include anything, including, for example, cost , color, or other parameters that are only peripherally related to the options which are selected by the driver. As an example, the driver may be allowed to select any options as

long as the total does not exceed a certain price, which would be a parameter set by the fleet manager. Note also that the article states that "the decision power is put completely in the driver's hands within the specifications from the fleet manager." (See PRN, 4th paragraph). The article is unclear as to what "parameters" are used by the fleet manager, but the Examiner cannot make the assumption that that the selection of parameters in this case means that the fleet administrator selects options for the buyers (which he does not in any case).

As a result, the Applicants strongly disagree with the Examiner's conclusion that "the fleet manager is in control of what products are bundled together into a complete package." The drivers in the PRN article are able to select various options for their vehicle, unlike the buyer (group members) of the present application. For example, one driver may select a vehicle having air conditioning and compact disc player while another user may wish to select a vehicle having on board navigation system and a moon roof. Under the PRN article, both the users would be allowed to do so assuming that their selections fit the criteria (*parameters*) outlined by the fleet manager. However, the drivers in the PRN article still are able to make a choice of what is included in their products, unlike the buyers in the present application, who must select a predefined bundle.

In the present application, while the user is allowed to select one or another of the bundles, the actual bundles are preconfigured by the administrator and cannot be changed by the buyer, unlike the driver in the PRN article who is allowed to select various options for the vehicle that is being purchased.

The Examiner has also cited Dell as specified above. Dell discloses "Premier Pages" which are merely websites customized by Dell for particular groups of customers, and which

include bundled products featured at corporate price points. However, Dell does not disclose administrators who are members of the buying group being allowed to configure product bundles, nor does the combination of PRN and Dell disclose the elements of the present invention.

The Henson reference is a U.S. Patent which appears to cover the Dell on line purchasing system. The Examiner cites Figure 4, item 70 which shows a page allowing the user to make online selections regarding the configuration of their computer. However, nothing in Dell discloses having an administrator of a buying group (external to Dell) choosing options for the buyers. Instead, in Hansen, the buyers have a choice of options, much like the drivers in PRN.

As a result of the above discussion, the Applicants have shown how the PRN reference differs from the present invention in that the virtual bundles of the present invention are wholly defined by the group's administrator and the buyers are not able to pick and choose items which are a part or not part of the bundle. This is not disclosed in any reference or combination of references cited by the Examiner.

Conclusion

The Applicant respectfully requests reconsideration of all currently pending claims in light of the discussion above and requests allowance of all claims at the earliest possible time.

The Applicants have enclosed a check to cover the petition fee for the requested extension of time. It is believed that this Response and Amendment requires no other fees. However, if an additional fee is required for any reason, please charge Deposit Account No. 02-4553 the necessary amount.

Should the Examiner have any questions regarding these amendments or arguments, the Applicant requests that the Examiner contact the Applicant's attorney, listed below.

Respectfully submitted,



Dennis M. Carleton
Registration No. 40,938
BUCHANAN INGERSOLL, P.C.
One Oxford Centre
301 Grant Street
Pittsburgh, Pennsylvania 15219-1410
(412) 562-1895

Attorney for Applicant